



Respiratory Care Board of California

444 North 3rd Street, Suite 270, Sacramento, CA 95814

January 17, 2003

State of California
Gray Davis, Governor

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All California Congressmen and Congresswomen

RE: Medicare Home Health Services Benefit: Respiratory Therapists

Dear :

The Respiratory Care Board of California urges you to make needed changes to the Medicare home health services benefit to better serve your constituents. The suggested changes should have NO FISCAL IMPACT on the Medicare program.

The Respiratory Care Board of California (Board) is the State agency charged with protecting the public from the unauthorized and unqualified practice of respiratory care and from unprofessional conduct by persons licensed to practice respiratory care. Since the Board's inception in 1982, the Board has licensed over 22,000 respiratory therapists. There are currently 27 respiratory care educational programs in California. Respiratory therapists are specially trained, educated and competency tested to treat respiratory ailments and conditions (i.e. emphysema, chronic bronchitis, lung cancer, asthma, heart attack and poststroke victims, etc...) aggressively and most effectively.

As you know, every state is grappling with the issues facing the rapidly growing practice of health care in our homes. The Board is committed to ensuring that California consumers with respiratory diseases are afforded the opportunity to receive optimal care from respiratory therapists.

Currently, the regulations implementing the home health services benefit only recognize respiratory therapy provided by a physical therapist or a nurse as a "skilled visit." While there is no argument that these professionals provide valuable services that will continue to be relied upon, it has been shown that using respiratory therapists to treat respiratory diseases results in controlled costs and higher quality of care. In recognition of this, many of the physician associations have issued resolutions stating their support for respiratory therapists (see enclosures).

The Board strongly supports and urges you to introduce legislation to recognize respiratory therapists under the Medicare home health services benefit by adding the following suggested language to section 1861(m) of the Social Security Act:

"For purposes of paragraph (1) and (2), the services of a respiratory therapist may be construed to be the services of a registered professional nurse or a physical therapist when such skilled nursing or physical therapy services are part of a home health plan of care and are also within a respiratory therapist's scope of practice."

The Respiratory Care Board of California's mission is to protect and serve the consumer by enforcing the Respiratory Care Practice Act and its regulations, expanding the delivery and availability of services, and promoting the profession by increasing public awareness of respiratory care as a profession and supporting the development and education of all respiratory care practitioners.



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This suggested language is not intended nor does it replace the use of nurses or physical therapists. Rather, the language would allow your constituents who suffer from respiratory diseases to receive optimal care from having access to specially-trained respiratory therapists. The proposed language would recognize respiratory therapists and allow their services to be considered a skilled visit under the plan of care. No additional expenses should incur, nor would the use of respiratory therapists be mandated from this requested change.

Thank you for your consideration in this matter. Should you have any questions, please do not hesitate to contact me at (818) 986-4114 or our Executive Officer, Stephanie Nunez at (916) 323-9983.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Svonkin", with a stylized flourish at the end.

Scott J. Svonkin
President

Enclosures